

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services - Revenue Department - Sri Daljeet Singh, former Tahsildar, Nyalkal Mandal, Medak Dist. (now retired) - Committed certain irregularities in appointment of Village Servant, who was under aged - Disciplinary action initiated - Enquiry - Report - Show Cause Notice - Issued - Representation submitted - Imposition of punishment of 25% cut in pension for a period of two (2) years - orders - Issued

**REVENUE (VIGILANCE-II) DEPARTMENT**

**G.O.Rt.No. 1063**

**Dated: 08.07.2013.**

**Read the following:**

- 1) From CCLA Lr.No.VSI(4)/2763/2010, dated 8-8-12.
- 2) Government Memo No.37420/Vig.II(2)/2012-1, dt.19-11-2012.
- 3) Representation from Sri Daljeet Singh, Retd. Tahsildar, dt. nil.
- 4) Letter No.37420/Vig.II(2)/2012-3, dt. 14-5-2013
- 5) From Secretary APPSC Lr.No.1188/RT/3/2013 dated 10-06-2013

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted proposals to Government that Sri Daljeet Singh, while working as Tahsildar, Nyalkal Mandal has appointed one Sri M.Vikram s/o.Laxmaiah as Village servant of Mungi (Village) of Nyalkal (Mandal) on compassionate grounds with retrospective effect from 1.08.2008 in place of Sri Siddappa, S/o.Lingappa, Village Servant who was expired, vide his Proceedings No.A/4/2008, dt.3.01.2009. On verification of date of birth certificate, it is revealed that at the time of appointment i.e. on 3-1-2009, the age of the candidate was 17 years (7) months i.e. minor as his date of birth is 5-5-1991. Thus, Sri Daljeet Singh, Tahsildar appointed Sri M.Vikram, who was a minor and issued orders appointing him with retrospective effect from 1.08.2008 i.e. when the age of the individual was only (17) years (3) months. The irregularly appointed Village Servant was paid honorarium of Rs.20,991/- from 1.08.2008 to 30.05.2009. On the above said irregularities the Chief Commissioner of Land Administration framed charges against Sri Daljeet Singh vide his proceedings dt.14.3.2010 and the charged officer has submitted his written statement of defence requesting to drop further action against him. Since, the written statement of defence was not convincing, the Joint Collector, Medak District was appointed as the Enquiry Officer to enquire into the charges framed After completion of the enquiry, the Enquiry Officer has submitted enquiry report stating that the charges were held proved against the Charged Officer. Further, a copy of the enquiry report was communicated to the Delinquent Officer for his representation on the findings of the enquiry report vide Chief Commissioner of Land Administration proceedings dt.28.06.2012. The Delinquent Officer has submitted his representation stating that the appointment was made purely on temporary basis in public interest with a good intention of running the Village Administration without giving any hard ship to the Villagers. There was no ill-motive of any sort. The inquiring Authority also did not attribute any ill-motive to him. The candidate fabricated the certificate in such a way that it could not be noticed in a casual manner and neither he nor the staff could suspect the tampering. Hence, he has requested to consider his submission sympathetically and to drop further action as he already retired from service on 30.6.2012. The Chief Commissioner of Land Administration, Hyderabad has requested the Government to conclude the proceedings under Rule 9 of A.P. Revised Pension Rules, 1980 as the Charged Officer retired from service.

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2. After examining the issue, keeping in view of the findings of the enquiry officer in his enquiry report, Government have provisionally decided to impose a punishment of 25% (twenty five percent) cut in pension for a period of two (2) years. Accordingly, in the reference 2<sup>nd</sup> read above, a show cause notice was issued to Charged Officer for his representation.

3. In the reference 3<sup>rd</sup> read above, the Charged Officer has stated that he appointed Sri M.Vikram who is the legal heir of deceased village servant of Mungi Village of Nayalkal Mandal in place Sri Siddanna S/o. Lingappa Village servant who was expired on 24-7-2008 due to ill health. On the petition of Sri M.Vikram S/o Laxmaiah R/o Mungi village Nyalkal Mandal he has enquired about the geniuses of the petition in the Mungi village in the presence of the village elders. During the enquiry it has been revealed that Sri Siddanna S/o Linganna village servant has expired on 24-7-2008 leaving behind his two sons namely 1. Sri Narsappa S/o Siddanna 2. Sri Laxmaiah S/o Siddanna, both the sons of Siddanna deceased village servant are illiterate, and they are agreed that their son i.e son of laxmaiah (Sri laxmaiah is the son of late siddanna deceased village servant) may be appointed as village servant and there is no objection for them for the appointment of Sri Vikram as village servant thus he has appointed Sri Vikram S/o Laxmaiah as village servant of Mungi village in place of deceased siddanna on compassionate grounds.

4. He has further submitted that there are two sanctioned posts of village servant to Mungi village. After the death of one village servant i.e Sri Siddanna, no village servant is in the village to look after the Revenue work, as such as election photography & Electrol roll additions, deletions and to attend the other important works like to as Gramadarshani etc. Another village servant has already appointed by his predecessor as root officer to civil supply godown at Zaheerabad MLS point for prompt delivery of essential commodities to Fair price shops existing in the Nyalkal Mandal. After the death of Sri Siddanna village servant Sri Vikram S/o Laxmaiah (i.e Grand son of Siddanna) is attending the duties of deceased village servant in the Mungi village.

5. He has further submitted that prior to appointment of Sri Vikram S/o Laxmaiah (i.e grand son of siddanna) a notification has been issued in the Mungi village Nyalkal Mandal calling applications for appointment of village servant in the existing vacancy of village servant. Only one application for appointment of village servant of Sri Vikram S/o Laxmaiah has been received under compassionate grounds. Sri Vikram filed the Xerox copy of his school certificate in which his date of birth was recorded as 05-05-1990. Considering his past experience, age and other qualifications, he was appointed as village servant purely on temporary basis in public interest with a good intension of running the village administration without giving any hardship to the villagers. There was no ill-motive of any sort. The inquiring authority also did not attribute any ill-motive to him. The candidate fabricated the certificate in such a way that it could not be noticed in a casual manner and neither him nor the staff could suspect the tampering. Subsequently, on a complaint filed by one of the villagers, the Revenue Divisional Officer conducted preliminary enquiry and observed that the candidate tampered the certificate with regard to his age by correcting his date of birth as 05-05-1990 and produced the tampered certificate at the time of his appointment. This fact observed by the Inquiring Authority also. Thus the candidate got his appointment by misleading the officials. The candidate fabricated the date of birth certificate 1991 to 1990 and he has been punished by the Revenue Divisional Officer and terminated from the services vide Revenue Divisional Officer proceeding No. A1/510/2009,

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dt.31-7-2009 and District Collector Medak vide his Lr.NO. A3/VS/421/2010 dt. 18-3-2010 has requested the Tahsildar Nyalkal mandal to recover the amount of Rs.20,991/- from Sri Vikram S/O Laxmaiah. Finally, the Delinquent Officer requested to drop further action in the matter.

6. After examining the explanation of the Delinquent Officer and keeping in view of the findings of the Enquiry Officer, Government have observed that the appointment was irregular since under compassionate ground only the spouse/one of the children of the deceased village servant was eligible for appointment. In this case admittedly the individual appointed the grandson of the accused. However this irregularity was not reduced in the form of a charge in the disciplinary case. As far as charge (1) is concerned, even if the correct date of birth of 5-5-1991 were to be taken into account, as on 3-1-2009 he had completed 16 years of age and as per existing instructions 2 years relaxation is permissible under compassionate appointments. In this case, though the appointment could not be termed as a compassionate appointment for the reasons stated above. Hence the charge is proved. Charge 2 & 3 have also been held proved. Hence, Government have decided to impose a punishment of 25% cut in pension for a period of two (2) years.

7. Accordingly, Government hereby impose a punishment of 25% cut in pension for a period of two (2) years on Sri Daljeet Singh, former Tahsildar, Nyalkal Mandal, Medak Dist. (now retired), after due consultation with Andhra Pradesh Public Service Commission. A copy of the Andhra Pradesh Public Service Commission concurrence is enclosed herewith.

8. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Chief Commissioner of Land Administration,  
A.P., Hyderabad.  
The District Collector, Anantapur.  
Sri Daljeet Singh, former Tahsildar ,  
Nyalkal (M), Medak District( **through Collector, Medak**).  
The Secretary, Andhra Pradesh Public Service Commission,  
Hyderabad.  
The Accountant General, Andhra Pradesh, Hyderabad.  
S.f./S.c.

//FORWARDED BY ORDER//

SECTION OFFICER